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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,108	10/31/2003	Michael Altenhofen	13909-055001 / 2000E00019	8924
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FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022				
EXAMINER JACKSON, JENISE E				
ART UNIT		PAPER NUMBER		
2439				
NOTIFICATION DATE		DELIVERY MODE		
04/01/2011		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

Office Action Summary

Application No.

10/698,108

Applicant(s)

ALTENHOFEN, MICHAEL

Examiner

JENISE E. JACKSON

Art Unit

2439

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21 and 23-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21, 23-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-940)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 21, 23-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Floyd et al(6,243, 692) in view of Collart(2006/0181965).
3. As per claims 21, 29, 36, Floyd et al. discloses software includes an application core and modules that provide functionality for the application core(see col. 1, lines 65-67, col. 2, lines 1-9); to provide a module link, the module link providing the application core access to a subset of modules, the subset dependent on the version of the content(see col. 2, lines 28-39, col. 4, lines 18-25, 33-35), wherein the software that is common across multiple versions, the version comprises one of the multiple versions, and the module link is authenticated by a code that is unique to a user(see col. 1, lines 58-67, col. 2, lines 1-4).
4. Floyd is silent on; however, Collart discloses a first computer system to provide course content; a second computer system to provide a content player that presents the course content; and a third computer system to identify a version of the content player that is to present the course content[0010, 0013, 0015, 0026, 0030]. It would have been obvious one of ordinary skill in the art at the time of the invention to include a content player of Collart with Floyd, the motivation is that the content player is used to obtain the updated content that contains the

version of the content of the portable storage medium so that the user can access and play the content[0015, 0026 of Collart].

5. As per claims 23, 37, Floyd is silent on; however, Collart discloses wherein the first computer system comprises a master repository that stores the course content[0010, 0013, 0051]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include master repository of Collart with Floyd, the motivation is that the separate storage medium is a remote server that has a local storage medium and the cached content may be subsequently reused[0013 of Collart].

6. As per claims 24, 30-31, 38, Floyd is silent on; however, Collart discloses wherein the content player access the content from the master repository [0010-0011]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the content player access the content from the master repository of Collart with Floyd, the motivation is that based upon the user using the player the content can be access from the master repository so that the user can have the updated version of the content[0011, 0015 of Collart].

7. As per claims 25, 32, 39, Floyd is silent on; however, Collart discloses wherein the content player is provided to a local computer, the local computer having access to a local repository of course content[0042]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a content player that is provided a local computer of Collart with Floyd; the motivation is that the player accesses the local cached information to get the updated content[0042 of Collart].

8. Same Motivation as claim 25. As per claims 26, 33, 40, Floyd is silent on; however, Collart discloses wherein the content player accesses the content from the local repository [0042].

9. As per claims 27, 34, 41, Floyd discloses wherein the third computer system encrypts the module link before providing the module link(see col. 4, lines 51-67).

10. As per claims 28, 35, 42, Floyd discloses wherein the third computer system encrypts the module link with a public key that corresponds to a user of the software(see col. 2, lines 37-41, col. 4, lines 52-63).

Response to Applicant

11. A non-final rejection was mailed on 9/16/10 in which claims 21, 23-42 were rejected by the Examiner. The Applicant filed a reply on 1/13/11 in which claims 21, 29, and 36 were amended by the Applicant.

12. The 101 rejection on claims 36-42 have been withdrawn due to the Applicant amending to overcome the 101 rejection.

13. The Applicant states that Floyd does not disclose or suggest, a content player that presents course content, identifying a version of the content player that is to present the course content, and providing a module link that provides access to a subset of modules, the subset dependent on the version of the content player. First, the Applicant didn't state in the previous rejection that Floyd disclosed a content player. The Examiner looks towards Collart for a content player. Collart discloses a content player because Collart discloses a network based educational system that includes a student portal providing each student on the system with a

personalized knowledge platform, a classroom interface providing an online classroom environment; an administrative portal facilitating the deployment, maintenance and updating of course materials provided on the system[0010]. Further, Collart discloses media learning objects(MLO) can be used to update current courseware. Collart discloses the MLOs allow the user to update content of the courseware that is outdated[0107].

Final Action

14. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENISE E. JACKSON whose telephone number is (571)272-3791. The examiner can normally be reached on Increased Flex time, but generally in the office M-Fri(8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

March 25, 2011

J. E. J./

Examiner, Art Unit 2439

✓Edan Orgad/

Supervisory Patent Examiner, Art Unit 2439